



February 16, 2023

VIA ECF

Judge Alvin K. Hellerstein
Room 1015
United States Courthouse
500 Pearl Street
New York, NY 10007

SO ORDERED.

/s/ Alvin Hellerstein
February 23, 2023

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Re: *VICOF II Trust, et al. v. John Hancock Life Insurance Company of New York, et al.*, 19-cv-11093-AKH: Letter Regarding Sealing Portions of Plaintiffs' Pretrial Memorandum

Dear Judge Hellerstein:

Plaintiffs in the above-captioned case respectfully request leave to seal portions of Plaintiffs' Pretrial Memorandum ("Pretrial Memo"). In their Pretrial Memo, Plaintiffs quote from or substantively reference certain documents or portions of documents that have been designated as "Confidential" by Defendants John Hancock Life Insurance Company of New York and John Hancock Life Insurance Company (U.S.A.) (collectively, "John Hancock") under the Stipulated Confidentiality Agreement and Protective Order ("Protective Order") entered in this case (ECF No. 34).

Rule 4(B) of the Court's Individual Rules ("Rules") and the Protective Order govern the filing of documents under seal. As required by the Rules and the Protective Order, Plaintiffs met and conferred with opposing counsel to narrow the scope of this request. Pursuant to the Rules and the Protective Order, Plaintiffs are redacting portions of their Pretrial Memo that quote from or refer to certain documents that John Hancock designated as "Confidential" under the Protective Order, all of which John Hancock has previously requested that Plaintiffs file under seal in connection with other submissions. Plaintiffs are redacting the portions of the Pretrial Memo quoting from or referring to these documents in compliance with the Protective Order, but Plaintiffs are not seeking continued confidential treatment of the redacted portions of their Pretrial Memo. Under the Protective Order, John Hancock has three days to file "a letter explaining the need to seal or redact the materials and whether [John Hancock] intends to make a motion for continued sealing" and 21 days to "file a motion with the Court seeking the continued sealing of the information, or certain parts of the information, originally sought to be filed under seal." Protective Order, ¶¶ 10, 11.

Pursuant to the terms of the Protective Order, Plaintiffs respectfully request leave to seal portions of their Pretrial Memo. This is the first such request, and it will not affect any pending deadlines in the case.



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Dated: February 16, 2023

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By: /s/ Khai LeQuang

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